

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD.,
Petitioner

v.

PICTIVA DISPLAYS INTERNATIONAL LTD.,
Patent Owner

Case No. IPR2024-01095
Patent No. 11,823,425

**MOTION TO SEAL PURSUANT TO PROPOSED PROTECTIVE ORDER
PURSUANT TO 37 C.F.R. § 42.54**

Mail Stop “*PATENT BOARD*”
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Patent Owner requests that the Board permit Patent Owner to file its Patent Owner's Request for Director Review in this proceeding under seal. Petitioner does not oppose the Motion to Seal.

I. DOCUMENT TO BE SEALED

The POPR cites and quotes alleged confidential information from Exhibit 2034. The Board recently entered a protective order and granted a motion to seal Exhibit 2034. *See* Paper 57. Thus, as a precaution, Patent Owner requests sealing of its currently filed Request for Director Review.

II. GOOD CAUSE FOR SEALING THE IDENTIFIED DOCUMENTS

When enacting *inter partes* reviews ("IPRs"), Congress directed the Board to "provid[e] for protective orders governing the exchange and submission of confidential information." 35 U.S.C. § 316(a)(7). Thus, "[t]he Board may, for good cause, issue an order to protect a party or person from disclosing confidential information . . ." 37 C.F.R. § 42.54(a). In *Argentum Pharmaceuticals LLC v. Alcon Research, Ltd.*, IPR2017-01053, Paper 27 (PTAB Jan. 19, 2018), the Board set forth the standard for sealing confidential information:

[A] movant to seal must demonstrate adequately that (1) the information sought to be sealed is truly confidential, (2) a concrete harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed,

and (4) on balance, an interest in maintaining confidentiality outweighs the strong public interest in having an open record.

Id. at 3 (“the Argentum Factors”).

The *Argentum* factors support granting this Motion for the reasons below.

Factor (1): Patent Owner submits that the excerpts from the district court trial testimony (EX2034) is confidential at least from the perspective of Samsung, the real party-in-interest, as it has requested sealing of the courtroom in the district court. By extension, Patent Owner’s Request for Director Review that cites to the confidential portions of the exhibit contains confidential information as well.

Factor (2): Patent Owner submits that it has good cause to seal its Request for Director Review because it cites to what Samsung believes to be confidential information produced under the protective order in *Pictiva Displays International Ltd. v. Samsung Electronics Co., Ltd. et al*, Case No. 2:23-cv-00495-JRG (E.D. Tex.).

Factor (3): Patent Owner submits that there is a genuine need to rely on Exhibit 2034 for the reasons set forth in Patent Owner’s Request for Director Review. The relied-upon information demonstrates (1) the inconsistent positions that Samsung and Petitioner have taken in the district court and before the Board as related to the claim term “n-doped” and (2) the overlap and relationship between the validity grounds raised at the jury trial and the grounds raised before the PTAB.

Factor (4): Patent Owner's and Samsung/Petitioner's interest in maintaining confidentiality outweighs the public interest in having an open record. As discussed above, Patent Owner relies in part on the trial testimony in the district court to support its Request for Director Review and to show the inconsistencies and overlap between the district court action and the IPR.

Furthermore, Patent Owner has already filed redacted version for Exhibit 2034; and it will work expeditiously with Petitioner to identify truly confidential information in its Request for Director Review and file a public version. The Board should thus find that the present motion strikes an appropriate balance of the parties' interest in confidentiality and the public's need in the full record.

III. CONCLUSION

Patent Owner respectfully requests that the Board grant this Motion to Seal.

Dated: March 11, 2026

Respectfully submitted,

By: /Hong Zhong/
H. Annita Zhong (Reg. No. 65,530)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite #900
Los Angeles, CA 90067-4276
Telephone: (310) 203-7183
hzhong@irell.com

Counsel for Patent Owner
Pictiva Displays International Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on March 11, 2026, a copy of the foregoing **MOTION TO SEAL PURSUANT TO PROPOSED PROTECTIVE ORDERS PURSUANT TO 37 C.F.R. § 42.54** and was served by electronic mail, as agreed to by the parties, upon the following:

COVINGTON & BURLING LLP

Scott C. Weidenfeller (Reg. No. 54,531)
sweidenfeller@cov.com

David A. Garr (Reg. No. 74,932)
dgarr@cov.com

Jeffrey H. Lerner (Pro Hac Vice)
jlerner@cov.com

Jared R. Frisch (Pro Hac Vice)
jfrisch@cov.com

Kee Young Lee (Pro Hac Vice)
KYLEe@cov.com

SDC-Pictiva-IPR@cov.com

/Pia S. Kamath/
Pia S. Kamath